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5 **UNITED STATES DISTRICT COURT**
6 **SOUTHERN DISTRICT OF CALIFORNIA**
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8 MYKAL RYAN,

9 Plaintiffs,

10 vs.

11 MARY T. MORGAN, et al.,

12 Defendants.

CASE NO. 11cv685 BEN (CAB)

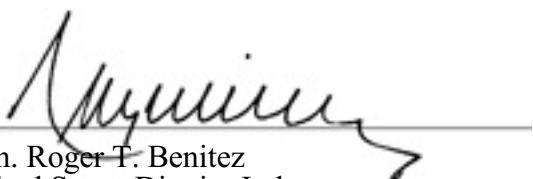
**ORDER DENYING MOTION TO
STAY**

13 Pro se Plaintiff Mykal Ryan has filed a motion that the Court will construe as a motion to stay
14 the case. (Doc. No. 17.) The trial court has inherent authority to control its own docket and calendar,
15 including the issuance of a stay when appropriate. *Landis v. N. American Co.*, 299 U.S. 248, 254
16 (1936). The party seeking the stay bears the burden of establishing the need for it. *Clinton v. Jones*,
17 520 U.S. 681, 708 (1997). Plaintiff has not demonstrated why the Court should stay the case.
18 Accordingly, Plaintiff's motion is **DENIED**.

19 The Court will, however, extend the time for Plaintiff to file an opposition to Defendant's
20 pending motion to dismiss. Plaintiff must file his opposition or statement of non-opposition on or
21 before **May 27, 2011**. Plaintiff's failure to file an opposition by **May 27, 2011** will be considered a
22 consent to the granting of the motion under Civil Local Rule 7.1(f)(3)(c). Defendant's Reply must be
23 filed on or before June 6, 2011 and the hearing on Defendant's motion is continued to **June 13, 2011**
24 **at 10:30 a.m.**

25 **IT IS SO ORDERED.**

26 DATED: May 16, 2011

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Hon. Roger T. Benitez
United States District Judge